

REMARKS

Specification Objections and Amendments

Applicants have amended the specification to correct the spelling errors noted at page 2 of the office action.

Applicants have inserted the serial number of the related applications listed at page 2. This action makes the incorporation by reference of the related applications in proper form.

The Title is amended to more closely reflect the nature of the claimed invention. The title is believed more accurate than the title proposed at page 2 of the office action, in as much as the phrases “application-dependent” and “speaker-dependent” voice command platforms is not believed to be as clear as the language DYNAMIC CONTROL OVER MODES OF OPERATION OF VOICE-PROCESSING IN A VOICE COMMAND PLATFORM.

Claim Objections

Claim 6, 18, 20, 21, 29, 35, 40 and 42 and 44 were objected to due to formal errors or spelling errors.

In claims 6 and 18, the spelling error of “converting” has been corrected.

In claim 20, the spelling error in “specification” has been corrected. There is in fact no spelling error in claim 40 and so claim 40 remains original.

In claim 21, the Examiner objects to the use of the word “not” in the claims. When the claim is read as a whole, it is apparent that it recites a voice command platform having a speech recognition engine that operates in two modes, a first mode which is an active mode and a second mode which is a passive mode. In the first mode, the speech

recognition engine "actively monitors incoming speech signals and provides output indicative of allowed grammars recognized in the incoming speech signals", whereas in the second or passive mode "the speech recognition engine does not actively monitor speech signals and provide output indicative of allowed grammars recognized in the incoming speech signals; . . . ". The claim does not at all imply, as the Examiner suggests, that an element is being substracted. Rather, it merely clarifies a state of operation and provides that in the second mode the speech recognition is in a passive state such that it does actively monitor the speech signals and provide output indicative of allowed grammars. The applicants respectfully submit that the claim is sufficiently definite that it complies with 35 U.S.C. § 112.

The Examiner made a similar objection to claim 42. The Examiner presumably meant claim 43, which is similar to claim 20. No amendment of claim 43 is believed necessary in view of the above remarks.

As to claim 29, the spelling error of «recieves » is corrected.

As to claim 35, the semicolon is added and the spelling of « applying » is corrected.

As to claim 44, the colon is added in the first line.

All the objections to the specification are overcome and the objections should be withdrawn.

Anticipation Rejection of Claims 1-5, 24 and 26-29.

The Examiner rejected claims 1-5, 24 and 26-29 as anticipated by the "VoiceAssist" Users Guide. The applicants traverse the rejection for the reasons expressed below.

The VoiceAssist User's Guide describes a speech recognition program which empowers a computer user to navigate a Windows environment and run Windows applications on a personal computer using voice commands. Introduction, page vii, Chapter 2, page 2-1. The necessary system requirements are an audio card, 386X-25 MHz processor with 4MB of RAM, a mouse, and Windows 3.1 or higher. System requirements, page 1-1. The VoiceAssist system provides for general commands that are common ("open", "close", "enter", "left", etc.) and a set of application specific command sets comprised of commands for a particular application. Chapter 2, page 2-1. As the user navigates from application to application, the application specific command sets are swapped out from memory. Id. These application specific commands are usually comprised of menu items and menu popups as well as additional commands that the user creates. Id.

The invention of claim 1 is directed to a very different environment, and one that is not disclosed or suggested in VoiceAssist. Whereas VoiceAssist is directed to a user interacting with Windows applications on a local computer, the invention of claim 1 relates to a network-based voice command platform which interacts with remote users over a telephone and a communications network. In particular, claim 1, as amended is as follows:

1. A network-based voice command platform for interacting with remote users via speech signals exchanged between the user and the voice command platform via a telephone and a communications network, comprising:
 - a user communication interface for receiving speech from the user via the telephone and the network;
 - a processor;
 - an application-processing module executable by the processor to process voice command applications designed for interacting with users via speech, the voice command applications defining user-prompts, allowed grammars, and application logic;

a voice-processing module executable by the processor to recognize the allowed grammars in speech signals received from a user via the user communication interface, and to convert the user-prompts into speech signals for transmission to the user via the user communication interface, the voice-processing module having a plurality of selectable modes of operation; and

selection-logic executable by the processor in response to a specification received during a voice command session with the user, to cause the voice-processing module to operate according to a mode of operation that corresponds with the specification.

Claim 1 recites that the voice command platform receives speech from a user via a telephone and network. (See specification, page 13, first two paragraphs for support).

The voice command platform includes a user communication interface for receiving speech from the user via the telephone and the network. (Page 13, lines 14-21).

Moreover, the platform includes an application processing module executable by the processor to process voice command applications specifically designed for interacting with users via speech (such as the VXML applications mentioned in the applicants' specification, see page 22 et seq.). These features are completely different from the VoiceAssist system.

In particular, the VoiceAssist system does not receive speech from a user via a telephone and network, as claimed – it is not a network-based system. Instead, VoiceAssist is resident on the PC in front of the user and receives speech input from a microphone provided in the PC or in a peripheral headset, not via a telephone. (Systems Requirements, page 1-1, Sound Blaster audio card, recommended use of headset microphone specifically designed for speech recognition).

VoiceAssist does not include a user communication interface for receiving speech from the user *via the telephone and the network*. VoiceAssist merely receives speech input into a microphone locally and does not include any use or reference to a telephone

or a network connecting a user's telephone and a network, or a network interface as claimed.

Additionally, the system of claim 1 envisions an application-processing module executable by the processor to process voice command applications specifically designed for interacting with users via speech, the voice command applications defining user-prompts, allowed grammars, and application logic. These features are not met by the VoiceAssist product. In particular, the VoiceAssist system enables a user to speak commands which allow a user to interact with Windows applications (User's guide page 2-1), like Word, Outlook, Excel, games etc., and such applications are not designed for interacting with users via speech. Rather, as every computer user knows, they are designed for interaction *using a graphical user interface including a display, keyboard and mouse*. This is clear because VoiceAssist is needed as a necessary intermediary to allow the user to interact with the applications. Obviously, had the applications been designed to interact with a user via speech, then VoiceAssist would not be necessary. VoiceAssist is only necessary because such applications were NOT designed for interaction via voice. It cannot be said that Windows applications such as Word, Excel, Outlook, games, etc., which are provided on a personal computer, constitute «voice command applications designed for interacting with users via speech. » This is because, among other things, such applications do not define «allowed grammars » (i.e., speech that is recognized as proper given a particular application state).

Accordingly, when the scope of claim 1 as amended is properly understood, it is clear that the VoiceAssist user's guide does not anticipate claim 1. The rejection of claim 1 and dependent claims 2-5, 24 and 26-29 should be withdrawn.

Obviousness Rejection of Claims 6-12, 19-20, 31-38 and 44-47

Claims 6-12, 19-20, 31-38 and 44-47 were rejected as obvious over VoiceAssist user's guide in view of TextAssist User's Guide. The applicants respectfully traverse the rejection.

The TextAssist Users Guide describes a PC application that includes a text-to-speech application that reads text and produces speech. By clicking on a document, you can have it read back to you. Introduction, page vii. Like the VoiceAssist product, it has certain minimum PC system requirements, including a SoundBlaster card, 25 MHz processor and 4MB RAM, 2MB hard disk spaces and Windows 3.1 operating system or higher. To use the product, you select or highlight the text you want read back and click on TextReader button to have it read back. See page 1-1.

When this reference is combined with the VoiceAssist User's Guide, the result is a PC with software resident on the PC that a user interacts with locally via a microphone and speakers in order to speak commands (VoiceAssist) and to listen to documents (TextAssist). Neither product contemplates the network based voice command platform having the features of claim 1. Neither TextAssist nor VoiceAssist disclose or suggest a (1) network-based voice command platform that interacts with the user via voice from a telephone and network, (2) which includes a user communication interface for receiving speech from the user via the telephone and the network, and/or (3) which includes an application-processing module executable by the processor to process voice command applications designed for interacting with users via speech, the voice command applications defining user-prompts, allowed grammars, and application logic.

Accordingly, since TextAssist fails to overcome the deficiency in VoiceAssist in teaching the subject matter of claim 1, the obviousness rejection of the dependent claims 6-12, 19-20, 31-38 and 44-47 is improper as a matter of law.

Conclusion

The claims, as amended, recite patentable subject matter over the art cited by the Examiner for the reasons stated. The Examiner is requested to withdraw the rejections and pass the case on to issuance. Favorable action to that end is requested.

Respectfully submitted.

McDonnell Boehnen Hulbert & Berghoff LLP

Date: 1/31/05

By:

Thomas A. Fairhall

Thomas A. Fairhall

Reg. No. 34591

CERTIFICATE OF MAILING

The undersigned hereby certifies that the foregoing Amendment is being deposited as first class mail, postage prepaid, in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on this 31st day of ~~February~~ ^{January}, 2005.

Thomas A. Fairhall
Thomas A. Fairhall